

ORIGINAL

FILED

July 22 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

WILLIAM J. O'CONNOR II
O'CONNOR & O'CONNOR, P.C.
208 North Broadway, Suite 412
Billings, MT 59101
406-252-7127
Attorney for Renee Griffith

FILED

JUL 22 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
SUPREME COURT NO. DA 10-0109

RENEE GRIFFITH, Plaintiff and Appellant, v. BUTTE SCHOOL DISTRICT NO. 1, CHARLES UGGETTI AND JOHN METZ, Defendants and Appellees.	MOTION FOR EXTENSION TO FILE PLAINTIFF AND APPELLANT'S REPLY BRIEF
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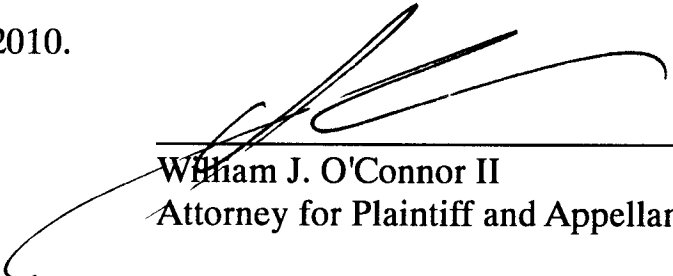
COMES NOW the Plaintiff and Appellant, Renee Griffith, by and through her attorney, William J. O'Connor II, and moves this court for an extension to file her Reply Brief to August 2, 2010.

Plaintiff and Appellant states that this Motion is made by and for the reason that one of the participating attorneys, Douglas McKusick, with the Rutherford Institute has been on vacation until this week and the other participating attorney, William J. O'Connor II, O'Connor & O'Connor, P.C., is a witness in a Federal Court trial scheduled this week, and accordingly is effectively unavailable to

research and complete the reply brief at this time.

Opposing counsel has been contacted and has no objection to this Motion.

Dated this 21st day of July 2010.



William J. O'Connor II
Attorney for Plaintiff and Appellant

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion for Extension to File Plaintiff and Appellant's Reply Brief was mailed, postage prepaid, on this 21st day of July, 2010 upon the following:

Debra Silk, Esq.
Tony C. Koenig, Esq.
Montana School Boards Association
863 Great Northern Blvd., Suite 301
Helena, MT 59601



William J. O'Connor II
Attorney for Plaintiff and Appellant

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WILLIAM J. O'CONNOR II
O'CONNOR & O'CONNOR, P.C.
208 North Broadway, Suite 412
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RENEE GRIFFITH, Plaintiff and Appellant, v. BUTTE SCHOOL DISTRICT NO. 1, CHARLES UGGETTI AND JOHN METZ, Defendants and Appellees.	AFFIDAVIT OF WILLIAM J. O'CONNOR II
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STATE OF MONTANA)

:SS

County of Yellowstone)

1. I am the attorney of record for the Plaintiff/Appellant;
2. The participating attorney for the Rutherford Institute who is assisting in this case, Douglas McKusick, has been on vacation; and
3. I am scheduled to be a witness in a Federal Court trial this week, Cause No. CV 06-104-BLG-RFC and unavailable to research and complete the Reply Brief at this time;

4. I have contacted counsel for the Butte School District and he has no objection to allowing an additional week within which to file a Reply Brief.

Dated this 21st day of July 2010.

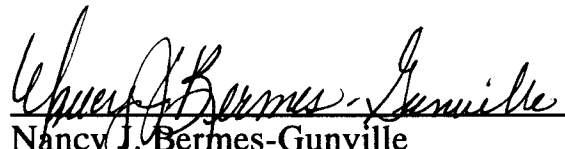


William J. O'Connor II, Affiant

On this 21st day of July 2010, before me, the undersigned, Notary Public for the State of Montana, personally appeared William J. O'Connor II, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he subscribed to the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first hereinabove written.

(NOTARIAL SEAL)



Nancy J. Bermes-Gunville
Notary Public for the State of Montana
Residing at Ballantine, Montana
My Commission expires: 1-28-2011

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Affidavit of William J. O'Connor II was duly served by U.S. postage prepaid mail, on this 21st day of July 2010 upon the following:

Debra Silk, Esq.
Tony C. Koenig, Esq.
Montana School Boards Association
863 Great Northern Blvd., Suite 301
Helena, MT 59601



William J. O'Connor II
Attorney for Plaintiff and Appellant